

EPILEPSY AND CRIME; THE COST

A Report From the Juvenile Psychopathic Institute, Chicago

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The price which society pays for neglecting its epileptics has never half been told. The sorrow and cost of wasted and frequently vicious lives occurring as the result of this at present incurable disease has never been estimated. One most important part of the price paid can be learned through gaining knowledge of the connection between epilepsy and crime. To this end some of the hard facts of our own experience are worth reporting at this time.

To-day a fine type of immigrant mother brought her boy, and he will serve by way of illustration of the general problem. "It is not so much what he has done as what I am afraid he will do," she explained. Although guilty of a number of misdemeanors, there had never been police complaint against him until now, but steadily his tendency has been towards moral unreliability in spite of his mother's good efforts, and in spite of his affection for her. She never knows what this nice-looking, well-developed lad is going to do next. At times he seems absolutely uncontrolled, a creature of vicious impulses. His violence leads her sometimes to fear a tragedy in her home circle. At other times he is kind and quiet and well-meaning. His variations from day to day are excessive, both mental and moral. All this, readily gathered from the boy and his mother, formed the typical history of a lad who for years had frequent convulsions, but who recently has had only momentary flittings of unconsciousness. As she foresaw, here was the making of a candidate for the criminal courts.

In the work of our Institute, which represents the most thorough-going research into the genetics of criminalism ever undertaken in this country, we have with the help of parents and others carefully studied nearly 1,000 young repeated offenders. We have found that no less than 71½ per cent. of these are certainly epileptics, and we have reason to suspect others.¹ If one remembers that it is ordinarily calculated that one person in every 500 is epileptic, the significance of this high criminal percentage is clear, and the practical bearing of it is still further accentuated by the fact that some of the worst repeaters are epileptics, and that many of the gravest crimes are committed by those unfortunates. The connection between epilepsy and crime has everywhere been recog-

1. This by no means represents the total number of epileptics seen in connection with juvenile court work, where, of course, first offenders as well as large numbers of dependents are seen. In addition to my above enumeration, other cases seen by the Detention Home physicians and by myself amount up to many scores of cases.

nized by students of the subject, but it apparently needs constant emphasis in order that common sense steps may be taken toward guardianship of these who suffer from a disease which wreaks such extravagant vengeance on society.

The progress of so many epileptics downward from dispensary clinic to prison has not been made a matter of general knowledge for the same reason that many of the main factors lying back of criminalism have not been brought to light. Continuation studies of special human types and of the results of special experiences have hardly begun. The fact is that if many clinicians could have the opportunity of knowing the moral end-results in the epileptic cases they have seen, they would find a considerable number of them in penal and reformatory institutions, or members of the vast crowd of tramps and city lodging-house bums.

Recently, in connection with court work, I saw a young man whom I had treated at the clinic ten years before. He comes from a very decent family, and had early in life very decent impulses, but with the progress of his disease he developed a typical mania for wandering, was willing to sleep on the roadside, stole mildly and took his pleasures as he found them — a big, hulking, soft-voiced fellow, quite rudderless in a world which offered no chances for him. During the interim he has served through one long reformatory term and several correctional sentences. In one city his mother found, while tracing his wanderings, that he had been picked up intoxicated, and on the supervision of a mentally clouded condition he had been sent temporarily to an institution for defectives. We found a farm home for him, but after a day's work he was off again. The possibility of this wanderer's further crimes and criminal trials and punishments then began burning themselves again in his mother's mind, and the outrageously weak part of the situation is that they should not be just as vividly foreseen by society, which has neither offered him a home nor protected itself against him.

This almost inevitable downward progress, which could be vividly depicted by a Hogarth, was fully appreciated by a young fellow who came into the Juvenile Court last year and boldly asked to be sent away for a long time to a reformatory or, if that was not possible, to the House of Correction. "I just see what's coming to me," said he, "I'm getting in wrong. They wouldn't have me in school and I hung around on the streets. And now they fire me at any job I get as soon as I have a fit. I'm bumming on the streets all the time, and you know who the fellows are there are to bum with. I see where I land all right, and I want to go there now before I get into trouble."

There are two main causes, easily perceived, which lead directly to the remarkable correlation between epilepsy and crime. One of them has been emphasized considerably by psychiatrists. It is the fact that the disease itself produces very frequently a characteristic, definite mental and moral deterioration shown most markedly in the field of social inhibitory powers. The social considerations which are paramount with most of us, and form the basis of most of our actions, are with them more or less dissolved or absent. Hence, the gross appetites, the cruel behavior and the vicious crimes.

The other cause is inherent in environmental conditions. The epileptic's very social inadequacies lead, as our boy said, to bad associations. Add this to his lessened powers of social resistance, and in many cases there is brought about a most deplorable result. The learning power for evil things possessed by a deteriorating epileptic is, I believe, almost unequalled. Some poor victims of this disease that one has come to know have been veritable sinks of iniquity. But after all, one may ask, why not? Their limited social opportunities offer little satisfaction under normal moral restraint, and they naturally follow a path of little resistance.

Instability in the moral sphere is readily found to be a prominent feature of epileptic offenders. They show great variations from day to day. They may commit the most surprising and unexpected crimes. To know the moral caliber of an epileptic to-day does not mean knowing it to-morrow. This, of course, is the result of variation in phases of the disease. Here is not the place to go into technical discussion of the automatic or twilight condition observable after convulsive attacks or taking their place—it is sufficient to say that these differ greatly in nature and incidence, but play only a minor part in the production of criminal behavior.

For the understanding of the whole subject by non-professional readers it should be emphasized that the types of epilepsy in which actual convulsions do not occur—the so-called minor epilepsies, where there are mere momentary losses of consciousness—are often accompanied by a greater amount of moral and mental deterioration and variation than are the cases of the major or convulsive type.

This variability is well shown in the instance of a boy whom we have often seen; a strapping lad who is a terrific problem on account of his frequent commission of offenses. At times the poor fellow is full of ambition and shows, indeed, normal ability. He particularly desires to be a professional man, a lawyer. In addition to his school work he has started law studies. And yet the first time I saw him he was in such a dazed condition for hours that he hardly knew his own name. He had been involved in a miserable affair which sent a degenerate man to prison for a long sentence. Sometimes he has been found full of vindictive spirit toward even his own relatives. At other times he has displayed much contrition at the offenses he has in his uncontrolled moments committed.

A terrible train wreck of a west-bound flyer was almost perpetrated, being narrowly averted through the discovery of the obstruction five minutes before the train was due at that point. The wreck was deliberately planned by our would-be lawyer under the spell of one of his whim-controlled states. He knowingly placed some angle irons in the best way to do the work, and then went about in the unfamiliar neighborhood, met some boys and invited them to come down soon and see a train tumble over. I repeatedly asked him why he did it, and all he could answer, while expressing deep regret, was that somehow he remembered he had just wanted to see what a wreck would look like. A few of his

deeds have aged his mother a score of years, and have kept not a few policemen busy. But if met only in his better moments one would scout the possibility of his being the source of so much trouble.

The changeableness of the epileptic character leads not only to criminal incalculability, but also to the despair of those who would administer the law according to the canons of criminal responsibility. Clouston says, "Murder by an epileptic should be looked on as being as much a symptom of his disease as larceny by a paretic," but courts of appeal have decided that epilepsy is no excuse for misbehavior unless the given deed is done under the influence of an immediate seizure. I am inclined to think that, after all, unless we select the more humanitarian method and take care of our epileptic offenders permanently, the court's decision, psychologically so palpably absurd, offers in its scheme of retribution the wisest solution for the protection of the social well-being.

The range of offenses perpetrated by epileptics is extensive. The four-foot specimen of humanity, who was celebrated in the newspapers as the Champion Lost Boy of Chicago, formed an amusing but fairly costly spectacle at one end of the gamut. A hundred times, his people say, he has been away from home, and of course the police, by night or day, have had to struggle with the question of who he is and where he lives. More than once his playmates have wandered with him and parents have searched in vain. Such wandering speedily leads to worse things. One family loses its son and brother for weeks at a time, and perhaps he is found drunk in a barn, or perhaps he is discovered in the Bridewell.

At the other end of the range are those who commit desperate crimes, often of a cruel and degenerate type, showing insane impulses. One of the worst murderers of recent years in Illinois, a killer of women, was an old epileptic. His trial and hanging cost thousands, and he was guilty of much more than he was tried for. The lurid annals of criminology are full of the dastardly deeds of epileptics.

The gravest sex offenders are often epileptic. The disease is compatible with a vigorous general physique, and not infrequently Nature has also thrown on these unfortunates the burden of a premature and excessive sex development. This, taken with their lack of power to control their natural appetites, makes them doubly a menace. We could give many instances of this and recount its results for society. I well remember one mother who came in highly indignant at the laxity of society in not taking care for its own sake of her 14-year-old boy. "What can be done for him under the law," she exclaimed. "I fear for my own sex."

And epileptic girls, showing mental deterioration, are to be regarded as, unless under the strictest safeguards, potential sex offenders. Our case histories reek with the failure of the ordinary home to prevent the moral downfall of epileptic daughters. Nothing is more shameless than the offering by these girls of their own persons. They, as well as the

boys, sometimes develop early from the physical side and have an excess of sex instinct. The distribution of venereal disease from such neighborhood source can better be hinted at than here detailed.

One very great general cause of crime, not at all appreciated, is implicated in this situation of non-segregation of the epileptics. I refer to the fact that from an epileptic with vicious tendencies there is frequently an immense amount of social contagion. Not only are the epileptic easy learners of vice, but they are great spreaders of it. The very fact of their deterioration in the sphere of social and moral inhibitions causes them to be willing spreaders of evil knowledge, and, indeed, causes them to seek an outlet for their tendencies in evil teachings. These possibilities can well be imagined. We have seen many illustrations of the fact, running all the way from the instruction in miserable pervert sex practices to the teaching of skilful methods of thieving.

Another point not generally appreciated is that epileptics, as well as high grade feeble-minded individuals, and some of the insane, exhibit a great deal of low cunning and skill. Why not; if the more healthy and normal avenues of gratification of self-expression are barred to them, why should they not seek the types of gratification at which they discover themselves most successful?

An eleven-year-old epileptic boy, weight 70 pounds, we first saw a couple of years ago when he was brought into court. The complaint was attacking little girls and injuring a boy. As is usual in the Juvenile Court there was good apprehension of the needs of the case, but there was not the slightest public facility for the care of him. He was tried in one public educational institution, but on the first appearance of his epileptic tendencies, which were quite infrequent in the daytime, he was rejected. It was rightfully considered dangerous to keep him there. Both before then and since, for the same reason, he has been rejected from schools. A week ago this lad was once more presented in court, and with him were implicated four other little chaps, his disciples. The principal of the school in whose district this boy lives recounted this last time something of what he knows of the case. He stated that he could well calculate that this boy had already cost society \$5,000, mainly through his teaching of others the fine arts of crime. I went over the case again and am inclined to believe these figures to be well within the truth. Notwithstanding his disease, he is smart in several ways, and particularly in his deftness in abstracting other people's belongings. He enjoys his performances thoroughly, and is a great teacher of others, taking smaller boys from the streets down town with him and showing them the tricks of his trade. Some score of boys are already known to have been involved with him, and enough of them have been sent away to public institutions as the result of his teaching to make the immediate cost of their up-keep for their first prescribed terms, together with many other expenses connected with the boy, a sum so far of at least \$5,000.

Epileptics, of course, are not wanted in the ordinary schoolroom, they can not be tolerated in a business position, they are dangerous to themselves and to others in almost any factory or workshop, and they are not

even wanted in reformatories. Perforce of their very disease they are not included among the reformable, and would interfere with the well-being of those who are. But yet if out of mere sympathy for their disease they are pardoned from a penal institution without other care being enforced upon them, a grievous injustice to the welfare of the state may be done. The miserable degenerate murderer above mentioned, the woman killer, had been during his youth pardoned, so his family stated, from a reformatory in a certain Eastern state by the governor because, forsooth, he was an epileptic. Now if there is any type of criminal that we can absolutely predicate to be a menace when pardoned and at large, it is the epileptic criminal.

There is altogether too little understanding of the main factors which lie back of criminal conduct. There are many reasons for this. Information given to the public through the newspapers rarely consists in anything else except the exploitation of the details of the crime and its immediate antecedents. Only occasionally do we ever note an attempt to present an estimate of what the make-up of the individual is who has perpetrated the offense. The newspapers and the reporters are not interested in the ultimate causes, and so the public does not get educated on these points. It is only occasionally, as in the case of a Chicago murder last year, where one may see even an allusion to the fact that the offender, who in this case decapitated a young playmate, was an epileptic. In all the times that our champion lost boy was mentioned in the papers nothing was ever, to my knowledge, said about the disease which was in the background of his delinquency.

Nor has the matter of causation become a part of the understanding of criminalism as reflected in ordinary legal procedure. But as I suggested above, perhaps it is best so unless the attempt is made to stem the tide of criminality somewhere near its sources.

How little can be done about the matter of protecting the public under even the parental provisions of the juvenile law unless there are adequate facilities for the care of epileptics by the state is shown in the experience of our own court. There the impending danger is recognized by a wise and sympathetic judge, but all to little purpose.* Our experi-

* Judge Merritt W. Pinckney has repeatedly in addresses, in communications to the newspapers and in his testimony before the County Civil Service Commission, called attention to the terrific social necessities concerning epileptics encountered in the Juvenile Court. At the latter time, when asked to state the reforms necessary in the Juvenile Court, he said: "First, provision should be made for the care of the epileptics who come into my court, sometimes as many as three or five in a week. . . . These epileptics are turned loose on the street. Epileptic girls, at an age when they become delinquent, are susceptible to influences that other girls with mental capacity and strength of character can resist; but they fall, and you force the court to turn them loose to go back to the red-light district. Epileptic girls who are delinquent are a positive menace to society. . . ."

ence shows that under the jury method in vogue there is little chance of an epileptic being considered insane. Of course, he may show not the slightest signs of insanity at the particular time he is under observation. And then when even going voluntarily into a hospital for the insane there is encountered at once the decision on the part of the superintending physicians that such a hospital is not the proper place for an epileptic who is not considerably demented, and of course they are right. The individual soon comes out into the world again and, as we have only too often seen, recommences his undesirable behavior.

The total cost of even our own group of repeated offenders we should not dare to estimate — calculations of criminal costs are extremely difficult to make with accuracy. The above estimate of a single case indicates something of the size of the problem. The yearly cost to a state like Illinois is immense. So far as numbers are concerned our own data show the development in dozens of cases of young epileptics into the most reckless criminals, hold-up men, "gun toters," and degenerate offenders of all kinds.

The non-segregation of epileptics (in spite, here in Illinois, of many previous professional appeals to legislators) is utterly uneconomical, unsympathetic and in general significant of a partially civilized state of social consciousness. The tears of afflicted mothers, the heart breaking discouragements of the epileptics themselves when they are not too far gone to care, and the vast costs and injuries actually endured by society on account of crimes and vices committed by epileptics, all cry out against such wanton neglect.

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